

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**JOHN F. HALL,**

**Plaintiff,**

**vs.**

**MICHAEL J. ASTRUE,  
Commissioner of Social Security,**

**Defendant.**

**No.4:08CV576SNLJ**

**ORDER AND JUDGMENT**

Having received no objections thereto,

**IT IS HEREBY ORDERED** that the Report and Recommendation of United States Magistrate Judge David D. Noce (#20), filed August 17, 2009 be and is **SUSTAINED, ADOPTED,** and **INCORPORATED** herein.

**IT IS FURTHER ORDERED** that the final decision of the Commissioner denying the plaintiff's application for disability benefits be and is **REVERSED**.

**IT IS FINALLY ORDERED, ADJUDGED, AND DECREED** that pursuant to Sentence Four of 42 U.S.C. §405(g), this case is **REMANDED** to the Commissioner for further proceedings. On remand, the ALJ shall reconsider plaintiff Hall's RFC; as well as reconsider the statement that indicated plaintiff Hall collected disability benefits after he stopped working. This Court does not retain jurisdiction of this case.

Dated this 3rd day of September, 2009.

  
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UNITED STATES DISTRICT JUDGE